

comprising difluoromethane, monochloromonofluoromethane and unreacted starting materials and (b) separating difluoromethane from the product stream of step (a), wherein sufficient hydrogen fluoride is employed in the process such that during step (b) the molar ratio of hydrogen fluoride to monochloromonofluoromethane is at least about 100:1. Further, under Rule 608(a), applicants have declared that there is a basis upon which applicants are entitled to judgment of priority over the Bonniface et al. patent, U.S. Patent No. 5,672,786. In light of the above, Applicants respectively submit that the Section 102 (a) and (e) rejections should be withdrawn.

II. Double Patenting Rejection:

The Examiner rejected claims 9 and 19 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1 and 5-7 of commonly owned U.S. Patent No. 5,763,708, the parent of the instant application. Applicants submit herewith a Terminal Disclaimer under 37 CFR § 1.321 to overcome this rejection. In light of the above, Applicants respectively submit that the rejection should be withdrawn.

III. Claim Objection/Allowable Subject Matter:

The Examiner objected to claim 5 and 20 as being dependent upon a rejected base claim, but indicated that the claims would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claim 5 is no longer objectionable because the underlying rejections have been overcome. Withdrawal of the objection is requested.

Claim 20 has not been amended since it is already in independent form. Applicants respectfully submit that this objection was made in error and that it should be withdrawn.

Remarks

No new matter is presented by the amendment. Claim 1 was amended to be consistent with the language in the specification. Basis for the amendment may be found on page 2, lines 16-18. Applicants respectfully submit that claims 1-9 and 19-20 are now in condition for allowance.